

City of Deer Park
City Council Committee Meeting
Municipal Building
May 5, 2014

President Comer opened the meeting, followed by the Pledge of Allegiance.

Legislative and Finance Committee

Patty Meiers, Tax Commissioner – Recommended Changes to Deer Park Earnings Tax

Ms. Patty Meiers presented the idea regarding the possibility of requiring residents to include a copy of the front of their 1040 with their Deer Park City Taxes each April 15th. Mr. Berens noted that looking at the 1040 provides the whole picture of what other earned income a resident has made during the year including rental income, self-employment earnings and gambling winnings. Mr. Rapp was concerned that there is no offset with gambling losses when federal tax allows it offsets and stated that residents are not for these changes and are concerned about being required to show their social security, pension and investment income down the road. Mr. Rapp wrote an article in the Suburban Life expressing his disapproval on this. President Comer mentioned that federal tax does allow one to deduct their losses up to their winnings. Ms. Meiers noted that some municipalities allow offsets and some do not. Mr. Tassell stated that other municipalities, like Cincinnati for example, run reports to see other earned income that can bring in more money for the city. Ms. Newsom asked Ms. Meiers if this recommendation is to make sure that residents are paying the tax they're supposed to be paying that would otherwise be inadvertently missed. Ms. Meiers said that some people come into the tax office and sign their return stating they have had no income for the year even though the tax office knows they have. Mr. Tassell asked if there is a venue process to check this. Ms. Meiers stated that there is a way you can request their income on software from the state and she believes that there is software to see who filed in the state and that this is another option we could opt to do although she is not sure of the pricing for this program. Mr. Tassell mentioned that with all due respect that this would bring more government into people's privacy issues with more and more data being given. Mr. Rapp noted that our revenue has been flat for seven years and is concerned that people are not keen on this with the fear of their social security and pensions being looked at and possibly taxed down the road. Mr. Rapp stated he will not be able to support this. Ms. Meiers said that is just her opinion that no social security or pensions would be included in this in future as we don't require anyone who is retired to file a tax return but she wanted council's opinion on this 1040 idea.

Ms. Meiers mentioned House Bill 5. Not much has changed since it's been sitting since November. Finance committee has changed some in Columbus. It's not going to cost us money but if bill passes it will be another obstacle. We already have a five year loss carry forward. Rule will change of how many days people that work in the city which is currently at twelve. We never changed our ordinance to cover that but would be changed from twelve to twenty if bill passes. Ms. Meiers figured, for example, that for someone working in the city every day of the year at \$20.00 an hour it would only bring us \$800.00 a year. We don't have the resources to enforce it but we rely on companies to report. Only other change with this bill is that if you file an extension on Federal and

State you have to send a copy to your municipality. May or June is when the non file Federal letters go out so it would push it out further. It won't change a lot but it will be an inconvenience. Mr. Tassell asked if Issue 5 is going to make a difference. Ms. Meier's stated that it won't change what we collect but will change the way things are done adding lots of red tape since it does not simplify things. Mr. Tassell asked if we can get an email sent to council stating the top three to five things it will change and asked what liability we have.

Ms. Meier's reported that we are moving forward with JEDZ (joint economic development zone) and is hoping we can get Brenda a little help in the office as she is very busy. Working on JEDZ is time consuming and Mr. Berens added that someone could work an additional 20 hours as it is pressing in the office since additional responsibilities have been picked up. Mr. Berens talked to Brenda today about things such as rental reports getting pushed back since Brenda is busy bringing checks in and getting deposits. Mr. Berens approved overtime for the next few weekends to help her get caught up. The JEDZ property owner's letters were sent out. Ms. Meiers stated that landlord reports go out letters twice a year and this is how they find new residents for earning's tax. Mr. Berens said that if council is so inclined that we could put together a cost estimate. Payroll companies are being set up to make sure 1st quarterly payment is paid when due. The initial setup takes some time for the businesses' 1st quarterly withholding. This begins July 1 and the first payment is due in October. Ms. Meier's helped set up JEDZ in Amberley Village last October and out of 142 businesses 6-8 businesses are not responding. Lots of their payroll companies and headquarters are out of state and some don't know what JEDZ is.

Tax Review Board

Mr. Berens said he talked with Mr. Helmes and under city ordinance we need three members for the tax review board either appointed by city council, or at the direction of council one or more such members may be appointed by the Mayor. President Comer asked what their purpose is. Mr. Berens stated that the board review appeals and with JEDZ coming on we want to make sure we have everything set up properly. Mr. Berens asked council how do they want to handle this and mentioned that he is open to suggestions from council and asked how would council like him to move forward by either having the Mayor appoint or council appoint tax review board members. Mayor Collins asked when we need this decided. Mr. Berens replied by July and asked council to think about ideas and how they want to proceed next week. Ms. Meiers asked if it is three residents and that confidentiality rules would need to be established stating that appeals can only be discussed with tax review board and tax office and no one else. Mr. Berens stated it will be three members and that the appointed should be someone responsible that will maintain confidentiality. Mayor Collins, Mr. Berens and Ms. Meiers agreed that the board should not comprise of anyone on council or in the tax office as that could be a conflict of interest as they're too tied together. Mr. Tassell asked if a description could be available for council next week. Mr. Berens stated that it's in the City Council book Ordinance 181.12. The fact that this process is a priority was noted by Mr. Berens and Mr. Donnellon.

Hamilton County Tax Incentive Review Council Agreement

Mr. Berens stated we need to appoint two people as members to go into agreement with the Hamilton County Development Company. Mr. Tassell asked for details and how often their meetings are held. Mr. Berens stated they meet once a year to review our CRA's and making sure they're complying with and upholding their requirements under the CRA's. It's done thru Hamilton County. Our two appointed people sit on the board. We will have more info next week and it will come with legislation.

April 2014 Income Tax Report

Mr. Berens stated that income tax report is down 3% for the year which is the same as it was this time last year. Checks are still being brought in. Ms. Meiers noted they are still processing returns and April credits have not all been put in yet.

Hamilton County Storm Water District Level of Service and Fees for 2015

Mr. Berens states that we have the opportunity to change our services with the Hamilton County Storm Water District or keep the services the same as we have it now. It's not real expensive as it only costs the average property owner \$8.13 per year which includes all required by the EPA. These are all services we've had in the past that we are not able to set up to do on our own. Mr. Berens asked for council's direction but recommends no changes at all. Mr. Berens stated that they offer classes for employees to educate on storm water. Mr. Lehane recommended classes for employees. Mr. Donnellon stated we should let the county know by May 30, 2014. Mr. Tassell noted that other cities, in Kentucky for example, are more costly at over \$4.00 per month.

– Recommended Changes to Deer Park Earnings Tax

Referring back to recommended changes to Deer Park earnings tax, Ms. Newsom asked if we are voting on tax changes. Mr. Berens asked what direction does council want to proceed. President Comer stated that someone from the Legislative and Finance committee would have to recommend beforehand and then Mr. Helmes would draw up the necessary paperwork and council would vote on it.

Safety Committee

April 2014 Fire District Monthly Report/April 2014 Police Department Monthly Report

Mr. Berens reported that the April 2014 Police Department and Fire District reports are not ready yet but expects both reports next week at the May 12, 2014 council meeting. Police Chief Schlie is on medical leave due to a recent surgery and won't return to full duty for about four months. Mayor Collins noted that Chief Schlie will be back to light duty soon.

Public Works Committee

Sidewalk Program

The brochure announcing the sidewalk program is done and ready for distribution. Ms. Newsom reported that she has already sent it to the Suburban Life and the Enquirer. Mr. Berens mentioned that it will be added to the city's website and Facebook pages. Mayor Collins and Mr. Berens added that the flyer turned out really nice and thanked Ms. Newsom for her work on this.

Temporary Summer Employees

Mr. Berens reported that in summers past we used to have three temporary employees and that after a few years that number was cut to two employees. We now are using one temporary employee each summer however due to Chris Brinkman's retirement on Sept 1st, and with all of his planned vacation days, we will need to an additional temporary employee. They make \$9.75 an hour, which has not gone up since 2009 or 2010. They work about 90 days from mid-May until mid-August, after the festival, as set up and tear down help is needed along with the new playground equipment that is going in the 2nd week of July which takes a week and the majority of our crew to install. We do have help from Hamilton County Probation Office which will provide some workers to cut grass and help us maintain the park however Mr. Berens talked it over with Mr. Applegate and council. All are in agreement for recommendation to hire an additional temporary summer employee.

MacNicholas Storm Water Pipe

Mr. Berens mentioned that no estimates are yet available for the MacNicholas storm water pipe repair. One pipe that was separating at the joints has been fixed. Tele-vac fixed by sealing pipe which stopped soil from going into pipe and collapsing the ground around it. The other pipe is cracked and has caused a huge sink hole in previously empty house. Tele-vac has referred us to Insituform, as this job is out of their ability to fix. It is a 40 foot 18 inch pipe and will not take very long to complete but we are charged for a whole day's work so other pipes that we have had trouble with on Moss Court will also be fixed for the same amount. Mr. Lehane asked when the estimate will be available. Mr. Berens stated that will be available by next week. Mr. Tassell mentioned that the MSD has pilot projects available that may be able to help us but is not emergency repairs.

Chamberlin Park/Community Center Update

Mr. Berens reported that the Service Department has replaced all lighting in the community center as we have received complaints about dark lighting. The Chess club donated money for better lighting. The kitchen was redone in the past, lighting fixtures need replaced and the roof is leaking as we are still waiting on roof leaks to be fixed. Garbage cans have now been replaced within a fence with a dumpster which will keep litter from blowing around the park. The new tire swing has been installed.

Traffic Lights

Mr. Berens stated he met with Capital Electric who services DP and who did their annual check of all of our intersections. We have problems at Blue Ash and Webster where the train gate is located. Railroad requests that we have battery backup so it will work if the power is out. The cost for batteries are \$300.00 a piece. At Galbraith and Blue Ash Roads the processor is bad. President Comer said that those lights don't change and never been right as he recently experienced waiting through four4 cycles of lights changing until the light turned green for him. The original installation of cameras by a different company installed the wrong wire. Capital Electric fixed it for free and rewired all the way to the processor. Processor has recently been struck by lightning. In the meantime Capital Electric will reset every time they drive by until we get it fixed. Mr. Berens stated no cost estimates as of yet. It operates train gates and are all part of

delay so railroad will take out lights as they only go 10 mph. We hope to have this fixed along with the Blue Ash Project. A better flow of traffic will begin after processor is replaced. President Comer asked if insurance will pay since it may have been a lightning strike. Mr. Berens will check.

Liquor Permit Renewal

Mr. Berens reported that a letter from the Department of Commerce was received advising that liquor permits are due for renewal for all city businesses serving. If we have any businesses that are problematic we can write a letter to ask for non renewal. Mr. Tassell stated that an analysis of police reports can be done to see who has had problems over time. President Comer and Mr. Berens both stated that the Car Rock works with the police and the city and numbers of problems are low. Mr. Tassell requested that let's look at the numbers for all bars. President Comer reminded that this is for all establishments, not just local bars.

Schedule:

City Council Meeting, Monday, May 12, 2014 at 7:00 p.m.

Park Board Thursday, May 15, 2014 at 7:00 p.m.

City Council Meeting, Tuesday, May 27, 2014 at 7:00 p.m.

Announcements

- Mr. Berens stated we will decide next week at the May 12, 2014 City Council meeting as to see rather or not we will have the May 27, 2014 meeting during the week of Memorial Day.
- Mr. Tassell stated that he and Ms. Newsom could not hear during the earlier zoning meeting held tonight at 5:30. Mr. Lehane stated that we may be able to use the PA system from the community center. Ms. Newsom and Mayor Collins noted that the audience cannot hear the person that speaks at the podium. Mr. Brookbank, seated behind the podium, stated that the law states we should have an audio system, Mayor Collins agreed that we need an audio system. President Comer stated that we need to find out if PA system at community center works and get it done. Mr. Berens stated that council seats are wired up for microphones but the podium is not. Mr. Donnellon asked Mr. Gavin, seated behind the podium, if he could hear us and he stated that sometimes he cannot.
- Ms. Meiers let everyone know Duke Energy won't put back wires that pull away from the pole and will refer property owners to an electrician for inspection and repair. She experienced this herself last month and noted that this is the reason she did not make it to last month's committee meeting.

Adjournment

Meeting adjourned at 8:15 p.m.

Joseph W. Comer
President of Council

Joanie Perin-Seitz
Clerk of Council